

1 William B. Rowell, Bar No. 178587  
Thiele R. Dunaway, Bar No. 130953  
2 Marc Brainich, Bar No. 191034  
Michele C. Kirrane, Bar No. 215448  
3 **FENNEMORE WENDEL**  
1111 Broadway, 24th Floor  
4 Oakland, CA 94607  
Tel: (510) 834-6600 / Fax: (510) 834-1928  
5 browell@fennemorelaw.com  
rdunaway@fennemorelaw.com  
6 mbrainich@fennemorelaw.com  
mkirrane@fennemorelaw.com  
7

Attorneys for Defendants  
8 County of Alameda and Alameda County Deputy  
Sheriff Joshua Mayfield  
9

10 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
11

12 JOSEPH P. CUVIELLO and DENIZ  
13 BOLBOL, individually,

14 Plaintiffs,

15 v.

16 ROWELL RANCH RODEO, INC.;  
17 HAYWARD AREA RECREATION AND  
PARK DISTRICT; HAYWARD AREA  
18 RECREATION AND PARK DISTRICT  
PUBLIC SAFETY MANAGER/RANGER  
19 KEVIN HART; ALAMEDA COUNTY  
SHERIFF'S OFFICE; ALAMEDA COUNTY  
20 DEPUTY SHERIFF JOSHUA MAYFIELD;  
and DOES 1 and 2, in their individual and  
official capacities, jointly and severally,  
21

22 Defendants.  
23  
24  
25  
26  
27  
28

Case No. 3:23-cv-01652-VC

**DECLARATION OF MARC  
BRAINICH IN OPPOSITION TO  
PLAINTIFFS' JOINT MOTION FOR  
PARTIAL SUMMARY JUDGMENT  
AND IN SUPPORT OF DEFENDANTS'  
CROSS-MOTION FOR SUMMARY  
JUDGMENT**

Date: August 15, 2024  
Time: 10:00 a.m.  
Judge: Hon. Vince Chhabria  
Courtroom: 4—17<sup>th</sup> Floor

Action Filed: April 6, 2023  
Trial Date: October 21, 2024

1 I, Marc Brainich, declare as follows:

2 1. I am an attorney duly admitted to practice before this Court. I am of counsel with  
3 Fennemore Wendel, who are counsel for named defendants County of Alameda and Deputy  
4 Sheriff Joshua Mayfield (“County Defendants”) in this matter. I have personal knowledge of the  
5 facts set forth herein, except as to those stated on information and belief and, as to those, I am  
6 informed and believe them to be true. If called as a witness, I could and would competently  
7 testify to the matters stated herein.

8 2. The deposition of Plaintiff Joseph CuvIELLO was taken in this matter on February  
9 20, 2024. Attached hereto as **Exhibit A** are true and correct copies of excerpts of the reporter’s  
10 transcript of that deposition.

11 3. The deposition of Plaintiff Deniz Bobol was taken in this matter on March 6, 2024.  
12 Attached hereto as **Exhibit B** are true and correct copies of excerpts of the reporter’s transcript of  
13 that deposition.

14 4. Attached hereto as **Exhibit C** is a true and correct copy of Plaintiffs Joseph  
15 CuvIELLO and Deniz Bolbol’s video Bates 14, Clip 2 produced during discovery.

16 5. Attached hereto as **Exhibit D** is a true and correct copy of Plaintiffs’ video Bates  
17 14, Clip 3 produced during discovery.

18 6. Attached hereto as **Exhibit E** is a true and correct copy of Plaintiffs’ video Bates  
19 14, Clip 4 produced during discovery.

20 7. Attached hereto as **Exhibit F** is a true and correct copy of Plaintiffs’ video Bates  
21 16, Clip 2 produced during discovery.

22 8. Attached hereto as **Exhibit G** is a true and correct copy of Plaintiffs’ video Bates  
23 16, Clip 3 produced during discovery.

24 9. Attached hereto as **Exhibit H** is a true and correct copy of Plaintiffs’ video Bates  
25 16, Clip 4 produced during discovery.

26 10. Attached hereto as **Exhibit I** is a true and correct copy of video number 15, which  
27 is footage from the body-worn camera of Deputy Sheriff Sowmya Ramadas on May 20, 2022. I  
28 am informed and believe that the videos from the body-worn cameras of officers of the Alameda

1 County Sheriff's Office are time-stamped pursuant to Coordinated Time (UTC), the successor to  
2 Greenwich Mean Time. UTC is seven hours ahead of California time during Pacific Daylight  
3 Time.

4 11. Attached hereto as **Exhibit J** is a true and correct copy of video number 17, which  
5 is footage from the body-worn camera of Deputy Sheriff Sowmya Ramadas on May 20, 2022.

6 12. Attached hereto as **Exhibit K** is a true and correct copy of an audio recording of  
7 Deputy Sheriff Joshua Mayfield's telephone call with Amy Bowles of ASCO Dispatch at  
8 approximately 6:01 p.m. on May 20, 2022, at the 10:45-11:25 minute mark of the recording.

9 I declare under penalty of perjury under the laws of the United States of America that the  
10 foregoing is true and correct.

11 Executed on this 27th day of June, 2024, at Oakland, California.

12  
13   
14 \_\_\_\_\_  
15 Marc Brainich  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and )  
DENIZ BOLBOL, individually )

Plaintiffs, )

vs. )

Case No. 3:23-cv-01652-VC

ROWELL RANCH RODEO, INC., )  
HAYWARD AREA RECREATION AND )  
PARK DISTRICT, HAYWARD AREA )  
RECREATION AND PARK DISTRICT )  
PUBLIC SAFETY MANAGER KEVIN )  
HART, and DOES 1 and 2, in )  
their individually and )  
official capacities, jointly )  
and severally, )

Defendants. )

VIDEOTAPED DEPOSITION OF JOSEPH CUVIELLO, taken  
at 180 Montgomery Street, Suite 1200, San Francisco,  
California on Tuesday, February 20, 2024, at 9:09 A.M.,  
before April Wood Brott, Certified Shorthand Reporter  
Number 13782, in and for the State of California.

STENO  
concierge@steno.com  
(888) 707-9366

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

1 APPEARANCES

2 For Plaintiff Joseph CuvIELlo:

3 IN PRO SE

4 For Plaintiff Deniz Bolbol:

5 GREENFIRE LAW PC

6 BY: Jessica L. Blome, Attorney at Law

2748 Adeline Street, Suite A

Berkeley, California 94703

7 510-900-9502

jblome@greenfirelaw.com

8  
9 For Defendant Hayward Area Recreation and Park District  
and Kevin Hart:

10 ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP

11 BY: Dale L. Allen, Attorney at Law

Nicholas D. Syren, Attorney at Law

12 180 Montgomery Street, Suite 1200

San Francisco, California 94104

13 415-697-2000

dallen@aghwlaw.com

14 For Defendant County of Alameda:

15 FENNEMORE WENDEL

16 BY: William B. Rowell, Attorney at Law

1111 Broadway, 24th Floor

Oakland, California 94607

17 510-834-6600

browell@fennemorelaw.com

18  
19 For Defendant Rowell Ranch Rodeo, Inc.

20 GORDON REES SCULLY MANSUKHANI, LLP

21 BY: Osmaan Kahn, Attorney at Law

1111 Broadway, Suite 1700

Oakland, California 94607

22 510-463-8600

oakahn@grsm.com

23 The videographer: Neil George

24 Also present: Deniz Bolbol

25

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

09:18:01 1 I'd like to, you know, again, general  
09:18:03 2 admonitions -- we don't want you to guess. We don't  
09:18:08 3 want you to speculate. If you think you're guessing  
09:18:11 4 or speculating, make it clear on the record so that  
09:18:14 5 we can move on. I am entitled to your best memory  
09:18:17 6 of events.

09:18:18 7 I have a video that I'm going to touch on  
09:18:20 8 in just a second to see if we have a stipulation on  
09:18:21 9 it. But to the extent that we're here today, it's a  
09:18:25 10 who, what, when, where, why, and how situation.  
09:18:27 11 Pose your objections as you need, and we'll decide  
09:18:30 12 whether we've got to explore it or I just can  
09:18:33 13 rephrase the question.

09:18:34 14 There was some communication between  
09:18:37 15 Ms. Blome and the defense counsel. I don't know  
09:18:40 16 that you were part of this, but we have all the  
09:18:43 17 video that you produced. We have body camera video  
09:18:47 18 that was produced to you. So I just want to start  
09:18:49 19 the cell phone video you have produced, much of it  
09:18:53 20 contained in the declaration filed in support of  
09:18:55 21 your temporary restraining order.

09:18:58 22 Do you stipulate, as we sit here today, to  
09:19:01 23 the authenticity of that video?

09:19:03 24 A. Yes. The video that we produced to you?

09:19:06 25 Q. Yes, and the reason I ask that is that will

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

09:19:10 1 save us the time and trouble to go through every one  
09:19:14 2 of them and ask who's on it, who's where, who's who.

09:19:16 3 A. Sure.

09:19:16 4 Q. I do intend to show you at some point some  
09:19:20 5 video that we have for you that depicts my client,  
09:19:23 6 Kevin Hart. I want to see if you recognize him as  
09:19:26 7 such and that's you in the video that's talking to  
09:19:28 8 him.

09:19:28 9 A. Sure. I just want to clarify not all my  
09:19:31 10 video was taken on the cell phone, just for the  
09:19:34 11 record.

09:19:34 12 Q. What else --

09:19:34 13 A. Some of it was on a video camera.

09:19:37 14 Q. Okay. So to clarify, the video that has  
09:19:39 15 been produced, you will stipulate that is authentic,  
09:19:43 16 and it's what you took that day and produced to the  
09:19:47 17 defense?

09:19:47 18 A. Yes.

09:19:48 19 MR. DALE: All right. Thank you.

09:19:50 20 Ms. Blome, same stipulation -- will you  
09:19:51 21 stipulate to the authenticity of the material that  
09:19:55 22 was produced --

09:19:55 23 MS. BLOME: Yes.

09:19:56 24 MR. DALE: -- in the TRO?

09:19:57 25 MS. BLOME: Yes.



JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

09:19:57 1 BY MR. DALE:

09:19:57 2 Q. All right. Now, you have been provided  
09:19:58 3 body cam footage from the Alameda SO. Have you  
09:20:03 4 reviewed that body camera footage?

09:20:04 5 A. Yes.

09:20:05 6 Q. Do you see anything in that body camera  
09:20:04 7 footage that isn't captured to the best of your  
09:20:12 8 memory as to the events that occurred that day?

09:20:14 9 A. I don't think I understand that question.

09:20:16 10 Q. All right. Much of what -- much of the  
09:20:17 11 interaction between you and the Alameda SO, direct  
09:20:22 12 interaction when you were talking with them,  
09:20:24 13 inclusive of a conversation you had with Kevin Hart,  
09:20:28 14 is captured in the Alameda Sheriff's Office  
09:20:31 15 production of documents that were presented to you.  
09:20:34 16 Do you recall reviewing that document -- those  
09:20:37 17 videos?

09:20:37 18 A. Yeah. I recall that, yes.

09:20:39 19 Q. And it appears to mirror -- I'm framing it  
09:20:45 20 deliberately as "appears to mirror" -- what you  
09:20:48 21 captured on your video camera but just from a  
09:20:52 22 different angle. Would you agree with that?

09:20:54 23 A. Just to clarify, you're talking about the  
09:20:56 24 Kevin Hart video?

09:20:57 25 Q. Well, I'm talking about all Alameda video.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

09:21:00 1 I'm just trying to cut to the chase and establish,  
09:21:00 2 you might, say, the four corners of what we can  
09:21:03 3 agree upon.

09:21:04 4 A. Okay. I can say -- I mean, there's some  
09:21:07 5 video that was taken when I wasn't around.

09:21:09 6 Q. Correct.

09:21:10 7 A. But the stuff that I'm in, yes. It  
09:21:12 8 mirrors, as you said, the video that I took.

09:21:15 9 Q. Thank you. And let me reframe that.

09:21:17 10 To the extent that you are in video,  
09:21:19 11 that's -- you're captured in the body camera video  
09:21:24 12 of the Alameda Sheriff's Office video, would you  
09:21:27 13 agree that is mirroring but from a different angle  
09:21:30 14 the video you produced as you captured on your  
09:21:33 15 camera?

09:21:34 16 A. Yes.

09:21:34 17 Q. All right. Now, obviously, what you're not  
09:21:39 18 in, Ms. Bolbol produced. Video camera -- you're not  
09:21:43 19 captured in that video. You can't say one way or  
09:21:47 20 the other if it's authentic in one form or another.

09:21:51 21 A. Right.

09:21:52 22 Q. All right. Are you comfortable with the  
09:21:53 23 admonitions, as you understand them, and as you have  
09:21:57 24 been through this process before?

09:21:59 25 A. Yes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

09:24:33 1 A. It was centered around a circus event, but  
09:24:36 2 it was against the City of San Francisco.

09:24:36 3 Q. So we're on the same page. And then the  
09:24:39 4 other one is the -- your Vallejo case that was  
09:24:42 5 recently settled.

09:24:43 6 A. Yes.

09:24:44 7 Q. Those are the two I'm going to talk about a  
09:24:46 8 little bit, and maybe Cuba. Okay?

09:24:46 9 A. Cuba, I wasn't involved in.

09:24:48 10 Q. You weren't involved in. But you're  
09:24:49 11 familiar with that case?

09:24:50 12 A. Yeah.

09:24:52 13 Q. Okay. So let's start with this. When were  
09:25:03 14 you and Ms. Bolbol married?

09:25:05 15 A. 2018.

09:25:13 16 Q. And do you have a marriage certificate for  
09:25:16 17 that?

09:25:16 18 A. Yes.

09:25:17 19 Q. And where was it issued?

09:25:18 20 A. Grass Valley, California. Probably Nevada  
09:25:22 21 County is more accurate. I don't know if the City  
09:25:25 22 actually issued it, but the County might have.

09:25:27 23 Q. Okay. Do you consider yourself well-versed  
09:25:34 24 in the First Amendment rights an activist?

09:25:36 25 A. Yes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:31:45 1 Q. All right. And during your interaction  
10:31:46 2 with Mr. Houts -- that's H-O-U-T-S -- he informed  
10:31:51 3 you that there was a free speech area, correct?

10:31:53 4 A. Yes.

10:31:53 5 Q. And you, in essence, indicated that you  
10:31:56 6 were not going to go there, correct?

10:31:57 7 A. Yes.

10:31:57 8 Q. And then you instructed him to call the  
10:31:59 9 police?

10:31:59 10 A. I don't know if "instruct" is the right  
10:32:02 11 word, but I said, "Call the police if you have a  
10:32:04 12 problem."

10:32:04 13 Q. And why did you want the police to come  
10:32:06 14 out?

10:32:07 15 A. Because I didn't believe Gary Houts knows  
10:32:10 16 our rights and doesn't care about them. So I  
10:32:12 17 figured the police -- more likely to care about our  
10:32:16 18 rights.

10:32:16 19 Q. And then at some point after that  
10:32:18 20 interaction, officers from -- or deputies from the  
10:32:20 21 County Sheriff's Office arrived, correct?

10:32:22 22 A. Yes.

10:32:23 23 Q. All right. And do you remember how many  
10:32:24 24 there were?

10:32:24 25 A. Four is what I remember.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:32:29 1 Q. And one was Deputy Mayfield, correct?

10:32:32 2 A. Yes.

10:32:32 3 Q. Can you describe Deputy Mayfield for me?

10:32:35 4 A. He's tall, big. He's African-American, and  
10:32:40 5 I'm not sure if he had a mustache or not, but he was  
10:32:43 6 tall. I think he was taller than all the other  
10:32:47 7 deputies, and larger too.

10:32:49 8 Q. And do you remember the other deputies at  
10:32:52 9 all?

10:32:52 10 A. I remember an Indian woman and a white guy.  
10:33:00 11 There were two others, and I don't remember one, but  
10:33:03 12 the white guy who initially approached us and talked  
10:33:07 13 to us -- I don't know his name.

10:33:14 14 Q. And the other one -- can you provide any  
10:33:17 15 description for him?

10:33:17 16 A. No.

10:33:19 17 Q. Did you personally have any direct  
10:33:26 18 interaction with the female officer that you  
10:33:28 19 described as an Indian woman?

10:33:30 20 A. I don't recall any direct interaction with  
10:33:33 21 her.

10:33:33 22 Q. Okay. How about the other officer that you  
10:33:36 23 don't recall?

10:33:36 24 A. I don't recall any direct interaction with  
10:33:39 25 him either.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:33:40 1 Q. And when the officers arrived, do you  
10:33:49 2 remember anything about what they did before they  
10:33:51 3 approached you and Ms. Bolbol?

10:33:53 4 A. No.

10:33:53 5 Q. Do you remember Ms. Bolbol saying something  
10:33:58 6 about Officer Mayfield hugging somebody?

10:34:01 7 A. Yes.

10:34:01 8 Q. Okay. What do you remember about that?

10:34:03 9 A. I remember her saying Officer Mayfield  
10:34:05 10 hugged somebody. I remember her saying, "He hugged  
10:34:08 11 that woman there." That's what I remember her  
10:34:10 12 saying.

10:34:10 13 Q. Okay. And the woman that he hugged -- did  
10:34:13 14 you have any understanding of who she was?

10:34:14 15 A. I don't have any understanding. I just  
10:34:16 16 assumed she was with the rodeo because she was  
10:34:19 17 hanging out before.

10:34:20 18 Q. And did you have any understanding about  
10:34:22 19 Deputy Mayfield's relationship with this person?

10:34:25 20 A. I think it was in the discovery responses,  
10:34:28 21 but I don't recall what it was.

10:34:29 22 Q. Did you have any issue with the fact Deputy  
10:34:34 23 Mayfield hugged this woman?

10:34:35 24 A. When I was told about it, I thought, "Well,  
10:34:37 25 that seems like it could be a little bias there."

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:34:41 1 Q. And why is that?

10:34:42 2 A. Well, he's hugging the rodeo people who  
10:34:45 3 called him out to tell us to go to the free speech  
10:34:50 4 area.

10:34:50 5 Q. And could you hear any interaction with  
10:34:54 6 either Deputy Mayfield or the other deputies before  
10:34:57 7 they walked over to where you guys were standing?

10:35:00 8 A. No.

10:35:00 9 Q. And do you have any information as to  
10:35:05 10 whether the deputies were preassigned to the rodeo  
10:35:08 11 before you asked Mr. Houts to call?

10:35:12 12 A. No.

10:35:12 13 Q. How many officers initially approached?

10:35:18 14 A. Four.

10:35:19 15 Q. And then did two do the primary talking?

10:35:25 16 A. Well, one did the primary talking, and then  
10:35:29 17 Mayfield chimed in afterwards.

10:35:30 18 Q. And the first officer you said is a white  
10:35:33 19 male, correct?

10:35:33 20 A. Yes.

10:35:34 21 Q. Any other description for him?

10:35:36 22 A. That's all I remember. He was thinner than  
10:35:38 23 Mayfield, and I don't think he was as tall either.

10:35:41 24 Q. What did this officer or deputy initially  
10:35:44 25 say to you?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:35:45 1 A. I don't recall specifically, but I remember  
10:35:48 2 it was generally about, you know, "We know you're  
10:35:51 3 out here to exercise your rights. That's all fine."  
10:35:54 4 You know, "They do have a free speech area for you,"  
10:35:58 5 we said, "Yeah, we're not going to use that." He  
10:36:00 6 said that's cool. You know, just, we're just out  
10:36:01 7 here -- I think he said, "We're out here to make  
10:36:03 8 sure everything's good or not." I don't recall it  
10:36:06 9 specifically though.

10:36:07 10 Q. Okay. And during this time frame when he  
10:36:09 11 was talking to you, what was his demeanor like?

10:36:10 12 A. His demeanor was friendly, actually.

10:36:13 13 Q. And where was Deputy Mayfield during this  
10:36:16 14 interaction?

10:36:17 15 A. He was standing right there.

10:36:20 16 Q. And during this interaction, how was his  
10:36:22 17 demeanor?

10:36:23 18 A. He was just standing there.

10:36:26 19 Q. Okay. And did he say anything during this  
10:36:28 20 initial interaction?

10:36:29 21 A. He did, after the first officer talked to  
10:36:32 22 us.

10:36:32 23 Q. And what did he say?

10:36:33 24 A. I think he said -- I don't recall  
10:36:36 25 specifically, but I think he said something about



JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:36:38 1 the free speech area again and that -- not to block  
10:36:43 2 anybody or anything like that. I don't recall  
10:36:44 3 specifically.

10:36:45 4 Q. Anything else that you recall the officer  
10:36:48 5 saying to you, either one, during this initial  
10:36:51 6 interaction?

10:36:51 7 A. No.

10:36:51 8 Q. And how did you guys -- how did you  
10:36:53 9 respond?

10:36:59 10 A. I think we responded like, "Yeah, we have  
10:37:01 11 no intention of blocking anybody."

10:37:03 12 Q. Do you remember anything Ms. Bolbol said?

10:37:05 13 A. Not really specifically, no.

10:37:07 14 Q. And how about generally?

10:37:08 15 A. Same thing. You know, "We have no interest  
10:37:11 16 in blocking anybody."

10:37:15 17 Q. How long did this initial interaction last?

10:37:18 18 A. Short. Maybe 30 seconds. Maybe less,  
10:37:21 19 maybe a little more. I don't know. It wasn't that  
10:37:23 20 long.

10:37:26 21 Q. And did you have any issues with this  
10:37:29 22 interaction, initial interaction?

10:37:30 23 A. No.

10:37:31 24 Q. When you saw initially -- let's go back to  
10:37:43 25 the beginning.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:37:44 1 When you saw the four deputies arrive and  
10:37:46 2 then as they approached you, do you remember  
10:37:48 3 Ms. Bolbol telling you or saying something to the  
10:37:51 4 effect of "We've got a lawsuit"?

10:37:52 5 A. No, I don't remember that.

10:37:54 6 Q. Okay. At any point during this initial  
10:38:05 7 interaction with the deputies, did any of them make  
10:38:10 8 any sort of threats towards you?

10:38:11 9 A. The initial interaction?

10:38:12 10 Q. Yeah.

10:38:13 11 A. No.

10:38:13 12 Q. Did any of them make any movements or touch  
10:38:16 13 you at all?

10:38:17 14 A. No.

10:38:17 15 Q. And during this initial interaction, did  
10:38:23 16 you guys already have your signs up?

10:38:25 17 A. Yes.

10:38:25 18 Q. And you kept your signs up during the  
10:38:28 19 entire interaction, correct?

10:38:28 20 A. Yes.

10:38:29 21 Q. And then what happened after this initial  
10:38:31 22 interaction?

10:38:31 23 A. They left, they walked away, and we were  
10:38:37 24 protesting, and then a short time later -- I don't  
10:38:40 25 recall how long, but Deputy Mayfield and Kevin Hart

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:38:45 1 re-approached us.

10:38:46 2 Q. Any estimate of how long?

10:38:49 3 A. No, I don't know. It's on the video.

10:38:51 4 That's why we video record.

10:38:53 5 Q. And talking about the videos, counsel asked  
10:38:56 6 you about that. My understanding -- and correct me

10:39:01 7 if I'm wrong -- is that there's four kind of

10:39:03 8 full-length videos. One is marked as Bates stamp

10:39:07 9 14, which is Ms. Bolbol's video for 5/20/2022. Is

10:39:14 10 that your understanding?

10:39:14 11 A. I really don't know them that specifically.

10:39:14 12 Q. Okay.

10:39:18 13 A. If you showed them to me, I could identify  
10:39:21 14 them, but otherwise, I don't know specifically.

10:39:23 15 Q. But you recall Ms. Bolbol taking videos on  
10:39:27 16 5/20/22, correct?

10:39:29 17 A. Yes.

10:39:29 18 Q. And she also took videos on 5/21/22,  
10:39:34 19 correct?

10:39:35 20 A. Yes.

10:39:35 21 Q. And you took your separate videos on  
10:39:37 22 5/20/22, correct?

10:39:40 23 A. Yes. I don't know if there was any video  
10:39:43 24 on 5/22, but there might be. I don't specifically.

10:39:46 25 I don't recall anything happening on 5/22, so that's

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:39:49 1 why I don't remember.

10:39:50 2 Q. And sorry. 5/20/22.

10:39:52 3 A. Oh, 5/20/22. Yes, yes, 5/20/22.

10:39:52 4 Q. Okay.

10:39:53 5 A. I thought you meant 5/20 through 22.

10:39:57 6 Q. So let me clarify again.

10:39:59 7 You recall taking video on 5/20/22,

10:40:03 8 correct?

10:40:03 9 A. Yes.

10:40:03 10 Q. And also as well as 5/21/22, correct?

10:40:06 11 A. Yes.

10:40:06 12 Q. And what you produced, you believe is true  
10:40:09 13 and correct copies, correct?

10:40:10 14 A. Yes.

10:40:12 15 Q. All right. So the next interaction you had  
10:40:18 16 with any of the deputies was when Kevin Hart and  
10:40:21 17 Deputy Mayfield approached you, correct?

10:40:23 18 A. Yes.

10:40:24 19 Q. So if we call that your second encounter  
10:40:27 20 with the deputies, this would be accurate, correct?

10:40:30 21 A. Yes.

10:40:30 22 Q. And when they approached you, who initially  
10:40:33 23 started talking?

10:40:34 24 A. Kevin Hart.

10:40:35 25 Q. And at that time, were any other protestors

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:40:41 1 with you?

10:40:42 2 A. Yes.

10:40:43 3 Q. And who was that?

10:40:44 4 A. I don't remember specifically, but I  
10:40:46 5 remember a man named Michael Sage and a woman named  
10:40:49 6 Robin Newkirk. I think Robin Newkirk and her  
10:40:52 7 boyfriend or husband. I don't know his name. And  
10:40:56 8 there might have been somebody else, but I don't  
10:40:58 9 really remember other than that.

10:41:00 10 Q. And were you standing in the same general  
10:41:05 11 vicinity of where you were when you initially  
10:41:07 12 arrived?

10:41:07 13 A. Yes.

10:41:08 14 Q. And were you holding your banners and  
10:41:12 15 signs?

10:41:12 16 A. Yes.

10:41:12 17 Q. Were you talking to patrons?

10:41:14 18 A. I wasn't specifically, but people were.  
10:41:17 19 Our activists were.

10:41:18 20 Q. Okay. And were people passing out flyers?

10:41:21 21 A. Yes.

10:41:21 22 Q. And then I think you indicated that Kevin  
10:41:24 23 Hart arrived and mentioned that there was a free  
10:41:29 24 speech area, correct?

10:41:30 25 A. Yes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:41:30 1 Q. Okay. And during that interaction with  
10:41:32 2 Kevin Hart, did you specifically ask Deputy Mayfield  
10:41:35 3 as to whether he was going to arrest you?

10:41:37 4 A. Yes.

10:41:38 5 Q. What was the purpose of that?

10:41:39 6 A. The purpose was to find out what would  
10:41:42 7 happen if we don't go to the free speech area  
10:41:45 8 because in my experience, Kevin Hart was telling us,  
10:41:48 9 "You need to go there, and if you don't go there,  
10:41:51 10 it's not going to be good," and so I wanted to know  
10:41:53 11 if we don't go there, what's going to happen. You  
10:41:56 12 know, so I asked Deputy Mayfield, "What are you  
10:41:59 13 going to do if we don't go there?"

10:42:02 14 Q. And why did you want to know?

10:42:04 15 A. Because he was the only one, I understood  
10:42:07 16 at that time, to be able to arrest us, and I wanted  
10:42:07 17 to know if we were going to be arrested or not. And  
10:42:08 18 I told him specifically, "I don't want to be  
10:42:10 19 arrested." So I said, "If you're going to arrest  
10:42:12 20 me, I'll leave," and that's it.

10:42:14 21 Q. How did you respond?

10:42:16 22 A. He said, "You could be arrested."

10:42:18 23 Q. Did he ever tell you that he was actually  
10:42:21 24 going to arrest you?

10:42:21 25 A. No.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:42:22 1 Q. And if he had indicated he was going to  
10:42:32 2 arrest you if you didn't leave, what would you have  
10:42:34 3 done?

10:42:34 4 A. I would have gone to the free speech area  
10:42:39 5 or maybe on the street, whatever I thought was the  
10:42:42 6 better location.

10:42:42 7 Q. And like the interaction you had either in  
10:42:45 8 2018 or 2019, did you make a recommendation that he  
10:42:48 9 call his watch commander?

10:42:49 10 A. Yes.

10:42:49 11 Q. Okay. Why did you do that?

10:42:50 12 A. It's my experience that the officers on the  
10:42:52 13 street aren't as respectful of our rights as I think  
10:42:56 14 they should be, and we've had them call their watch  
10:42:59 15 commanders, who seem to be more knowledgeable maybe.  
10:43:02 16 And, like, my experience in 2018 or 2019, you know,  
10:43:06 17 "Call the watch commander," and the watch commander  
10:43:09 18 said, "Everything's good," and so I said, "Call the  
10:43:15 19 watch commander because I think -- my experience,  
10:43:17 20 like I said, is he's going to know more than you, so  
10:43:20 21 please call the watch commander."

10:43:22 22 Q. And at some point did Deputy Mayfield get  
10:43:24 23 on the phone?

10:43:25 24 A. Yes.

10:43:25 25 Q. Okay. And he walked away from where you

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:43:28 1 guys were standing?

10:43:29 2 A. Yes.

10:43:29 3 Q. Do you know how long he was on the phone  
10:43:32 4 for?

10:43:32 5 A. You know, just my recollection from doing  
10:43:34 6 the lawsuit is about five minutes, but I don't  
10:43:36 7 really know. I don't really remember.

10:43:37 8 Q. And could you hear anything that he was  
10:43:39 9 saying?

10:43:39 10 A. No.

10:43:40 11 Q. Okay. Could you hear anything that the  
10:43:42 12 person on the other end of the line was saying?

10:43:44 13 A. No.

10:43:44 14 Q. What was your understanding of what he was  
10:43:46 15 doing at that point?

10:43:47 16 A. I thought he called his watch commander.

10:43:50 17 Q. And while he was on the phone, what were  
10:43:58 18 you doing?

10:43:59 19 A. I was continuing to hold my banner.

10:44:02 20 Q. And what was Ms. Bolbol doing?

10:44:05 21 A. I'm not sure she was on the other end of  
10:44:10 22 the banner or if she was holding her sign and  
10:44:10 23 leaflet, but we all continued our protest  
10:44:14 24 activities.

10:44:18 25 Q. Can you provide an estimate of time how



JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:44:23 1 long the interaction was when Kevin Hart and Deputy  
10:44:26 2 Mayfield initially approached you before Deputy  
10:44:30 3 Mayfield left to make his phone call?

10:44:31 4 A. I don't really recall. I mean, it's on the  
10:44:34 5 video, but, you know, if I had to guess, which I'm  
10:44:36 6 not supposed to, but -- I don't know.

10:44:39 7 Q. Okay. Any estimate?

10:44:40 8 A. Estimate, 30 seconds to a minute.

10:44:49 9 Q. And then at some point did Deputy Mayfield  
10:44:53 10 return?

10:44:54 11 A. Yes.

10:44:56 12 Q. Did you see him do anything before he  
10:45:00 13 returned to you?

10:45:00 14 A. I believe he had a little meeting with the  
10:45:02 15 officers and Kevin Hart.

10:45:07 16 Q. And could you hear anything that was  
10:45:09 17 discussed during that meeting?

10:45:10 18 A. No.

10:45:11 19 Q. Any estimate of how long that meeting  
10:45:14 20 lasted?

10:45:14 21 A. I don't know. A few minutes maybe. I  
10:45:17 22 don't know. I don't really remember.

10:45:21 23 Q. And then at some point, Deputy Mayfield  
10:45:24 24 approached where you were standing, correct?

10:45:25 25 A. Yes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:45:26 1 Q. Was he with anybody?

10:45:28 2 A. I don't remember. I mean, the other  
10:45:30 3 officers were around. I don't remember if he  
10:45:31 4 actually -- they were standing next to him or not,  
10:45:33 5 but they were around.

10:45:34 6 Q. And let's talk about that. While you were  
10:45:40 7 talking with Kevin Hart and Deputy Mayfield  
10:45:43 8 initially, do you know what the other officers were  
10:45:46 9 doing?

10:45:46 10 A. I don't remember seeing them at that point.

10:45:50 11 Q. And while Deputy Mayfield was on the phone,  
10:45:53 12 do you remember what they were doing?

10:45:55 13 A. I only remember the woman, and the man, I  
10:46:00 14 don't recall his description. I think I remember  
10:46:02 15 both of them standing in front of us.

10:46:05 16 Q. How far in front?

10:46:06 17 A. Five feet maybe.

10:46:12 18 Q. Were they doing anything other than  
10:46:14 19 standing there?

10:46:15 20 A. Not that I recall.

10:46:16 21 Q. And then you don't recall when Deputy  
10:46:21 22 Mayfield returned whether any of the officers were  
10:46:23 23 with him, but you do remember Deputy Mayfield  
10:46:26 24 returning, correct?

10:46:27 25 A. Yes. But they were in the general

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:46:29 1 vicinity.

10:46:29 2 Q. Do you remember what they were doing in the  
10:46:31 3 general vicinity?

10:46:32 4 A. Just standing there.

10:46:33 5 Q. Okay. And when Deputy Mayfield returned,  
10:46:37 6 what did he say?

10:46:38 7 A. He said -- I don't remember specifically.  
10:46:42 8 Again, it's on the video, but something to the  
10:46:47 9 effect -- I don't recall him saying specifically we  
10:46:50 10 didn't have to go to the free speech area, but he  
10:46:54 11 said, "Don't block anybody. Stay out of the  
10:46:55 12 roadway," I think he said. But I don't recall him  
10:46:58 13 saying anything specifically about "You don't have  
10:47:00 14 to go to the free speech area."

10:47:04 15 Q. Okay. Did he say anything about arrest?

10:47:06 16 A. No.

10:47:06 17 Q. And how long was this second interaction  
10:47:15 18 when he got off the phone?

10:47:17 19 A. It was short. Probably 30 seconds to a  
10:47:19 20 minute.

10:47:19 21 Q. And during this interaction after he got  
10:47:25 22 off the phone, did he make any threatening moves  
10:47:28 23 towards you?

10:47:29 24 A. No.

10:47:29 25 Q. Okay. Did he physically touch you at all?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:47:31 1 A. No.

10:47:32 2 Q. Other than talking to you and asking you, I  
10:47:34 3 think you said, not to block anybody and stay off  
10:47:37 4 the roadway, do you remember him saying anything  
10:47:40 5 else to you?

10:47:40 6 A. That's the gist of it.

10:47:42 7 Q. Okay. At that point did you believe you  
10:47:53 8 were going to be arrested?

10:47:54 9 A. No.

10:48:02 10 Q. And what's the next interaction that you  
10:48:05 11 recall with any of the deputies?

10:48:06 12 A. I don't recall if I had another interaction  
10:48:16 13 with any of them out front. I think some of the  
10:48:19 14 other activists did, but I don't recall having one,  
10:48:22 15 but I do recall having an interaction with Mayfield  
10:48:24 16 out back at the lower entrance.

10:48:34 17 Q. At some point the video conversation you  
10:48:36 18 had with a person by the name of Margo -- do you  
10:48:40 19 know Margo?

10:48:40 20 A. Yes, yes. Margo.

10:48:42 21 Q. Okay. Who is Margo?

10:48:43 22 A. She's an activist.

10:48:44 23 Q. And did she arrive later to that protest on  
10:48:47 24 that day?

10:48:47 25 A. Yes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:48:48 1 Q. And do you know Margo's last name?

10:48:50 2 A. I'm not sure. I'm not sure what her last  
10:48:53 3 name is.

10:48:54 4 Q. Do you remember when she arrived that you  
10:48:56 5 kind of gave a rundown of what happened before her  
10:48:59 6 arrival?

10:48:59 7 A. Yes.

10:49:00 8 Q. Okay. And did you try to be accurate in  
10:49:02 9 your description of what happened?

10:49:03 10 A. I think I did.

10:49:04 11 Q. Okay. Do you remember telling her anything  
10:49:06 12 you felt was inaccurate?

10:49:07 13 A. Not that I recall.

10:49:10 14 Q. When Deputy Mayfield was on the phone after  
10:49:30 15 Kevin Hart approached you, do you remember having a  
10:49:32 16 conversation with either Ms. Bolbol or any of the  
10:49:35 17 other protesters about Deputy Mayfield?

10:49:37 18 A. I don't recall.

10:49:37 19 Q. Do you remember telling Ms. Bolbol while  
10:49:53 20 Deputy Mayfield was on the phone that you thought he  
10:49:57 21 was an asshole from the get-go?

10:49:58 22 A. Yes, I do recall that.

10:49:59 23 Q. Okay. And what did you formulate that  
10:50:02 24 opinion on?

10:50:02 25 A. When he got out of the car.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:50:02 1 Q. Okay. What did he do --

10:50:04 2 A. Well, I have to say when I first saw him.  
10:50:06 3 I don't recall if it was right after he got out of  
10:50:08 4 the car.

10:50:08 5 Q. What did you see about him that led you to  
10:50:13 6 believe he was an asshole?

10:50:14 7 A. His energy.

10:50:15 8 Q. What about his energy?

10:50:16 9 A. He had this, like, tough guy energy, like,  
10:50:20 10 you know, he's going to come over and tell us we  
10:50:22 11 have to go to the free speech area or whatever,  
10:50:26 12 which he ended up doing eventually. But that was  
10:50:29 13 the energy I got from him.

10:50:30 14 Q. Anything about him that led you to believe  
10:50:38 15 that he had that energy other than what you just  
10:50:41 16 described?

10:50:41 17 A. I'd have to think about it, but offhand,  
10:50:44 18 that's what it was, yeah.

10:50:50 19 Q. You also told either Ms. Bolbol or one of  
10:50:54 20 the other protesters that he had a hard-on to arrest  
10:50:57 21 you?

10:50:57 22 A. Yes.

10:50:58 23 Q. Okay. What did you mean by that?

10:50:59 24 A. I mean that was his energy. He was there  
10:51:01 25 to take care of their business, do their bidding.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:51:01 1 Q. And you formulated that --

10:51:08 2 A. Do Rowell Ranch's bidding.

10:51:10 3 Q. Sorry.

10:51:10 4 A. Yeah.

10:51:10 5 Q. And you formulated that opinion the minute  
10:51:12 6 he got out of his vehicle, correct?

10:51:14 7 A. Well, the minute I saw him, when I saw him  
10:51:17 8 over there with the other deputies.

10:51:19 9 Q. So going back to Exhibit 1, the next  
10:51:31 10 interaction you recall with Deputy Mayfield was at  
10:51:34 11 the area roughly in the vicinity of where they have  
10:51:37 12 a lower rodeo entrance; is that correct?

10:51:39 13 A. Yes.

10:51:40 14 Q. Okay. Do you recall approximately how long  
10:51:42 15 after that was, after you had the second interaction  
10:51:45 16 with Deputy Mayfield where he got off the phone and  
10:51:48 17 spoke to you?

10:51:49 18 A. I don't remember.

10:51:50 19 Q. Okay.

10:51:50 20 A. Could have been an hour.

10:51:51 21 Q. All right. And do you recall why you guys  
10:51:55 22 moved from the upper entrance to the lower entrance?

10:51:57 23 A. The upper entrance, the lot around there,  
10:52:02 24 filled up, and the patrons coming in, the number of  
10:52:05 25 patrons coming in, was low or nonexistent. So we

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:52:10 1 went to the other lot to get the patrons going in  
10:52:13 2 there.

10:52:13 3 Q. And while you were at the upper lot, you  
10:52:14 4 continued to protest the entire time, correct?

10:52:17 5 A. Yes.

10:52:18 6 Q. You had your banners up?

10:52:19 7 A. Yes.

10:52:20 8 Q. You guys were handing out flyers?

10:52:22 9 A. Yes.

10:52:22 10 Q. People were talking to patrons?

10:52:26 11 A. Yes.

10:52:26 12 Q. During this time frame, do you remember any  
10:52:29 13 other interaction with any other deputies while you  
10:52:30 14 were at the upper lot?

10:52:30 15 A. Other deputies besides Mayfield?

10:52:33 16 Q. Yes.

10:52:33 17 A. No.

10:52:34 18 Q. Do you remember anything that they were  
10:52:35 19 doing?

10:52:35 20 A. The other deputies?

10:52:37 21 Q. Yeah.

10:52:37 22 A. I don't even recall seeing them other than  
10:52:39 23 the woman who was with Mayfield.

10:52:40 24 Q. The officer?

10:52:41 25 A. Yes, the officer.



JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:52:42 1 Q. Okay. What was she doing?

10:52:44 2 A. Well, when I saw Mayfield, he was talking  
10:52:46 3 to Ms. Bolbol, and she was standing next to him.

10:52:49 4 Q. Okay.

10:52:50 5 A. Or near him, I should say.

10:52:53 6 Q. But you were not standing next to  
10:52:55 7 Ms. Bolbol during that interaction, correct?

10:52:57 8 A. No.

10:52:58 9 Q. That's correct?

10:52:58 10 A. Yes.

10:52:59 11 Q. All right. Other than this other female  
10:53:02 12 officer who was standing next to Officer Mayfield  
10:53:07 13 during the interaction with Ms. Bolbol, do you  
10:53:09 14 remember anything else that she did?

10:53:10 15 A. No.

10:53:11 16 Q. And other than the initial interaction you  
10:53:17 17 had with Deputy Mayfield and then when he came over  
10:53:21 18 with Kevin Hart and then left, made a phone call,  
10:53:23 19 came back, and then you saw him talking to  
10:53:25 20 Ms. Bolbol, anything else you recall him doing while  
10:53:29 21 you guys were up at the upper lot?

10:53:31 22 A. He came and talked to me.

10:53:32 23 Q. While you were at the upper lot?

10:53:34 24 A. Oh, not at the upper lot, no. I don't  
10:53:38 25 recall if he talked to me or not. He may have, but

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:53:40 1 I don't recall. I don't recall talking to any more  
10:53:42 2 deputies after that at the upper lot.

10:53:44 3 Q. Do you remember anything he was doing while  
10:53:47 4 you were still at the upper lot?

10:53:49 5 A. I think I saw him telling some of the  
10:53:51 6 activists to stay out of the roadway.

10:53:53 7 Q. Anything else?

10:53:54 8 A. No.

10:53:54 9 Q. All right. So now we go to about an hour  
10:54:01 10 later is your best estimate. You're at the lower  
10:54:04 11 lot, and Ms. Bolbol's in the lower lot as well,  
10:54:07 12 correct?

10:54:07 13 A. Yes.

10:54:08 14 Q. And all the protesters down there?

10:54:10 15 A. Yes.

10:54:11 16 Q. And specifically, what were you guys doing  
10:54:14 17 at the lower lot?

10:54:15 18 A. Same thing we were doing at the upper lot.  
10:54:18 19 Holding our banners, signs and passing out leaflets  
10:54:21 20 to the patrons.

10:54:21 21 Q. And at some point, Deputy Mayfield  
10:54:24 22 approached you; is that correct?

10:54:25 23 A. Yes.

10:54:26 24 Q. Okay. So if we call that the third  
10:54:30 25 interaction with Deputy Mayfield, does that sound

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:54:32 1 right?

10:54:33 2 A. I think that's fair.

10:54:33 3 Q. Okay. And before he approached you, my  
10:54:36 4 understanding -- he was talking to Ms. Bolbol,  
10:54:39 5 correct?

10:54:39 6 A. Yes.

10:54:40 7 Q. And where was Ms. Bolbol relative to you  
10:54:47 8 when Deputy Mayfield was speaking to her at this  
10:54:49 9 lower lot?

10:54:50 10 A. She was about -- I'd say about 30 feet  
10:54:54 11 maybe beyond where I was near the entrance where  
10:54:56 12 people were walking in.

10:54:57 13 Q. Okay.

10:54:58 14 A. Near the toilets or the outhouses, whatever  
10:55:02 15 you want to call them.

10:55:03 16 Q. And what was she doing?

10:55:05 17 A. She was holding a sign and passing out  
10:55:08 18 leaflets.

10:55:09 19 Q. And what did you observe with regards to  
10:55:11 20 Deputy Mayfield?

10:55:12 21 A. I saw Deputy Mayfield talking to her, and I  
10:55:17 22 saw her body language. She seemed annoyed, and so I  
10:55:21 23 video recorded it, and that was it. I didn't really  
10:55:25 24 know what was going on.

10:55:26 25 Q. During that interaction that you observed

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:55:31 1 with Deputy Mayfield and Ms. Bolbol, did you observe  
10:55:35 2 him touch her at all?

10:55:36 3 A. No.

10:55:37 4 Q. Did you observe him taking any aggressive  
10:55:40 5 action towards her at all?

10:55:41 6 A. Not physically.

10:55:42 7 Q. Okay. And when you say "not physically,"  
10:55:44 8 what do you mean?

10:55:44 9 A. Well, I think he was pretty aggressive  
10:55:47 10 telling her she was blocking when she wasn't.

10:55:49 11 Q. How was he being aggressive when he said  
10:55:53 12 that?

10:55:53 13 A. Because he kept pushing it and pushing it  
10:55:57 14 even though she wasn't blocking.

10:55:59 15 Q. He kept pushing with his words?

10:56:00 16 A. Yes.

10:56:01 17 Q. Not physically pushing?

10:56:02 18 A. No, not physically pushing.

10:56:04 19 Q. And how long was the interaction that you  
10:56:06 20 observed between Deputy Mayfield and Ms. Bolbol?

10:56:09 21 A. I really don't know.

10:56:11 22 Q. Okay. Any estimate?

10:56:13 23 A. Five minutes maybe.

10:56:19 24 Q. And during their interaction, did she  
10:56:21 25 continue to protest?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:56:22 1 A. Yes.

10:56:24 2 Q. Okay. At any point did she stop  
10:56:26 3 protesting?

10:56:27 4 A. No.

10:56:27 5 Q. And then after that interaction with  
10:56:29 6 Ms. Bolbol, did he walk over and approach you?

10:56:32 7 A. Yes.

10:56:32 8 Q. Okay. And when he approached you, what did  
10:56:35 9 he say?

10:56:35 10 A. He said something about "I'm just trying  
10:56:39 11 to" -- "I don't want them blocking." I said, "No  
10:56:43 12 one's blocking. They're not blocking." So we had a  
10:56:46 13 discussion about blocking and what constitutes  
10:56:48 14 blocking and stuff like that.

10:56:50 15 Q. Okay. Other than having a conversation  
10:56:53 16 about First Amendment and what constituted blocking,  
10:56:56 17 anything else you remember him saying to you?

10:56:58 18 A. No.

10:56:59 19 Q. Anything you remember saying to him?

10:57:00 20 A. No, just conversation.

10:57:04 21 Q. Okay. And as you described, that was just  
10:57:06 22 a conversation, correct?

10:57:07 23 A. Yes.

10:57:07 24 Q. And how long did that conversation last?

10:57:09 25 A. Maybe five minutes.

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:57:11 1 Q. Did you have any issues with Deputy  
10:57:14 2 Mayfield about that interaction?

10:57:15 3 A. It just reaffirmed my belief of him from  
10:57:21 4 the get-go, that he definitely wanted to do  
10:57:24 5 something against us, but I didn't have any issue --  
10:57:26 6 or I'm sorry. What was the question again?

10:57:27 7 Q. Sure.

10:57:29 8 During that five-minute conversation you  
10:57:31 9 had with Deputy Mayfield, did you have any issues  
10:57:34 10 and concerns about what he was doing?

10:57:36 11 A. Yeah, I did. Like I said, it just affirmed  
10:57:39 12 that he wanted to interfere with us, and he --  
10:57:43 13 clearly, in my mind, he was told he couldn't arrest  
10:57:46 14 us, and so he was trying to interfere in this way.  
10:57:49 15 But I don't think he was interfering with me at that  
10:57:53 16 point, to be clear. But I do think he was  
10:57:55 17 interfering with Ms. Bolbol down there.

10:57:57 18 Q. Okay. And that's where I want to be clear.  
10:57:57 19 During the five-minute conversation you had with  
10:57:59 20 him, was he interfering with you at all?

10:58:02 21 A. No.

10:58:02 22 Q. Okay. Did he indicate that he wanted to  
10:58:04 23 arrest you?

10:58:04 24 A. No.

10:58:04 25 Q. Did he take any aggressive or threatening

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:58:07 1 actions towards you?

10:58:08 2 A. No.

10:58:08 3 Q. Did he disrupt your protesting at all  
10:58:11 4 during this conversation?

10:58:12 5 A. No. I mean, he was standing in front of  
10:58:14 6 me, but I didn't say anything. But he wasn't try --  
10:58:16 7 I don't think he was attempting to disrupt. Let me  
10:58:19 8 put it that way.

10:58:20 9 Q. Okay. And but you felt that what you  
10:58:22 10 observed when he was interacting with Ms. Bolbol  
10:58:25 11 before he walked over -- you had an issue with that,  
10:58:28 12 correct?

10:58:28 13 A. Yes.

10:58:29 14 Q. Okay. What was that issue?

10:58:30 15 A. The issue was we weren't doing anything  
10:58:33 16 wrong, and I don't know why he was harassing us  
10:58:36 17 about it. And when he talked to me, it confirmed  
10:58:39 18 that. He didn't know -- I mean, he said, "She's  
10:58:40 19 blocking the bathroom," and I had a video recording  
10:58:44 20 going on where the guy's going to the bathroom. And  
10:58:47 21 I told him, "There's nobody's blocking anybody."  
10:58:49 22 But he was pushing that issue, and to me, that told  
10:58:52 23 me that he definitely had an issue with us.

10:58:54 24 Q. And when you -- us, you're talking plural,  
10:58:57 25 but --

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

10:58:57 1 A. Protesters.

10:58:58 2 Q. -- again, when he was talking to  
10:58:59 3 Ms. Bolbol, correct?

10:59:01 4 A. Yes.

10:59:01 5 Q. And you weren't in the immediate vicinity  
10:59:03 6 of her?

10:59:04 7 A. No.

10:59:05 8 Q. And when he was talking to her, he wasn't  
10:59:05 9 talking to you?

10:59:06 10 A. No.

10:59:06 11 Q. Okay. Do you know who else was with  
10:59:09 12 Ms. Bolbol during that interaction?

10:59:11 13 A. I think Mike Sage was down there with her.

10:59:14 14 Q. But when he approached you, you didn't have  
10:59:19 15 any problem with what your interaction with him was  
10:59:21 16 at that time, correct?

10:59:21 17 A. Well, when he approached me, I didn't know  
10:59:23 18 what he was going to say, but then when he talked to  
10:59:24 19 me, yeah, I didn't have any issues with him.

10:59:26 20 Q. Okay. And do you remember having any  
10:59:31 21 interaction with any of the other deputies at the  
10:59:33 22 lower entrance when you guys were down there that  
10:59:36 23 afternoon?

10:59:36 24 A. No. The woman was with Mayfield, but I  
10:59:40 25 didn't have any interactions with her.



JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

11:04:57 1 Q. Okay.

11:04:57 2 A. Looks like it.

11:04:59 3 Q. Do you know who took that photograph?

11:05:01 4 A. I don't know. Oh, Margo. Looks like Margo

11:05:04 5 probably took it. She's not in there.

11:05:06 6 Q. And do you know if Margo was present on

11:05:09 7 5/21 or 5/22?

11:05:12 8 A. I don't recall her being there.

11:05:13 9 Q. Okay.

11:05:14 10 A. At that time.

11:05:14 11 Q. And you guys returned to the rodeo on the

11:05:30 12 following Saturday, or that next Saturday on 5/21,

11:05:34 13 correct?

11:05:34 14 A. Yes.

11:05:34 15 Q. At that day, did you have any interaction

11:05:36 16 with anyone from the sheriff's department?

11:05:40 17 A. No.

11:05:40 18 Q. How long were you guys there for?

11:05:42 19 A. Couple hours, at least.

11:05:43 20 Q. All right. And were you guys protesting?

11:05:45 21 A. Yes.

11:05:46 22 Q. And then you returned on that Sunday, which

11:05:48 23 is 5/22?

11:05:50 24 A. Yes.

11:05:50 25 Q. Okay. How long were you guys there for?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

11:05:53 1 A. Probably a couple hours.

11:05:54 2 Q. Any interaction with anyone from the  
11:05:56 3 sheriff's department?

11:05:56 4 A. No.

11:05:57 5 Q. Okay. Do you know if any sheriffs or  
11:05:59 6 deputies were present on 5/21 or 5/22 at the rodeo?

11:06:04 7 A. I don't recall seeing anyone.

11:06:06 8 Q. And then you guys returned to protest the  
11:06:12 9 rodeo in 2023, correct?

11:06:16 10 A. Yes.

11:06:16 11 Q. Were you there all three days?

11:06:18 12 A. Yes.

11:06:18 13 Q. And did you see anyone from the sheriff's  
11:06:21 14 department in 2023 at the rodeo?

11:06:23 15 A. Yes.

11:06:24 16 Q. All three days?

11:06:25 17 A. I don't recall.

11:06:28 18 Q. Okay. Do you remember how many of the days  
11:06:30 19 you saw?

11:06:30 20 A. No.

11:06:31 21 Q. Did you have any interaction with them?

11:06:34 22 A. I don't recall any interactions with them.

11:06:35 23 Q. Okay. Did you have any issues with how the  
11:06:39 24 deputies in 2023 at the rodeo acted?

11:06:45 25 A. Any issues with it?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

11:06:46 1 Q. Yeah.

11:06:47 2 A. No.

11:06:47 3 Q. You don't recall any interactions  
11:06:51 4 specifically with them, correct?

11:06:52 5 A. I don't recall any interactions.

11:06:54 6 Q. Were there free speech areas in 2023?

11:06:57 7 A. Yes, there was.

11:07:00 8 Q. And did you guys confine yourself to the  
11:07:05 9 free speech area?

11:07:05 10 A. No.

11:07:06 11 Q. Were you roughly in the same spots you were  
11:07:09 12 before?

11:07:09 13 A. Yes.

11:07:10 14 Q. Have we gone through all of your  
11:07:17 15 interactions with Deputy Mayfield at the Rowell  
11:07:20 16 Ranch in 2022?

11:07:21 17 A. Yes.

11:07:21 18 Q. Okay. Do you remember anything else that  
11:07:24 19 he did that we haven't talked about?

11:07:25 20 A. No.

11:07:26 21 Q. Have we talked about all the interactions  
11:07:28 22 with the other deputies in 2022?

11:07:30 23 A. Yes.

11:07:30 24 Q. Okay. At any point did Deputy Mayfield  
11:07:41 25 ever try to remove any of your banners or signs?

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

11:07:44 1 A. No.

11:07:45 2 Q. Okay. At any point did he try to  
11:07:47 3 confiscate any of your flyers?

11:07:49 4 A. No.

11:07:49 5 Q. I know we currently have some outstanding  
11:08:26 6 discovery, but I'm going to ask you these quick  
11:08:29 7 questions.

11:08:30 8 Are you claiming any physical, emotional,  
11:08:32 9 or psychological injuries as a result of this  
11:08:34 10 incident?

11:08:34 11 A. No.

11:08:34 12 Q. Are you making any claim for medical costs?

11:08:37 13 A. No.

11:08:38 14 Q. Are you making any claim for lost earnings  
11:08:40 15 or wages?

11:08:40 16 A. No.

11:08:43 17 MR. ROWELL: That's all I have. Thank you.  
11:08:48 18 Should we take a quick break?

11:08:48 19 MR. DALE: Yeah.

11:08:48 20 MR. ROWELL: Why don't we take a quick  
11:08:52 21 break.

11:08:52 22 THE VIDEOGRAPHER: Time is 11:08 A.M. We  
11:08:56 23 are now off the record.

11:18:39 24 (Recess taken.)

11:18:39 25 THE VIDEOGRAPHER: Time is 11:18 A.M. We

JOSEPH CUVIELLO  
FEBRUARY 20, 2024

JOB NO. 843103

## REPORTER'S CERTIFICATION

I, April Wood Brott, Certified Shorthand Reporter  
in and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn;  
that the deposition was then taken before me; that the  
testimony and proceedings were reported stenographically  
by me and later transcribed into typewriting under my  
direction; that the foregoing is a true record of the  
testimony and proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name  
on this date: February 27, 2024.



---

April Wood Brott, CSR No. 13782

# **EXHIBIT B**

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and )  
DENIZ BOLBOL, individually )  
Plaintiffs, )

vs. )

Case No. 3:23-cv-01652-VC

ROWELL RANCH RODEO, INC., )  
HAYWARD AREA RECREATION AND )  
PARK DISTRICT, HAYWARD AREA )  
RECREATION AND PARK DISTRICT )  
PUBLIC SAFETY MANAGER KEVIN )  
HART, and DOES 1 and 2, in )  
their individually and )  
official capacities, jointly )  
and severally, )

Defendants. )

VIDEOTAPED DEPOSITION OF DENIZ BOLBOL, taken at  
180 Montgomery Street, Suite 1200, San Francisco,  
California on Wednesday, March 6, 2024, at 10:13 A.M.,  
before April Wood Brott, Certified Shorthand Reporter  
Number 13782, in and for the State of California.

STENO  
concierge@steno.com  
(888) 707-9366

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

1 APPEARANCES

2 For Plaintiff Joseph CuvIELlo:

3 IN PRO SE

4 For Plaintiff Deniz Bolbol:

5 GREENFIRE LAW PC  
6 BY: Jessica L. Blome, Attorney at Law  
7 2748 Adeline Street, Suite A  
8 Berkeley, California 94703  
9 510-900-9502  
10 jblome@greenfirelaw.com

11 For Defendant Hayward Area Recreation and Park District  
12 and Kevin Hart:

13 ALLEN, GLAESSNER, HAZELWOOD & WERTH, LLP  
14 BY: Nicholas D. Syren, Attorney at Law  
15 180 Montgomery Street, Suite 1200  
16 San Francisco, California 94104  
17 415-697-2000  
18 nsyren@aghwlaw.com

19 For Defendant County of Alameda:

20 FENNEMORE WENDEL  
21 BY: William B. Rowell, Attorney at Law  
22 1111 Broadway, 24th Floor  
23 Oakland, California 94607  
24 510-834-6600  
25 browell@fennemorelaw.com

For Defendant Rowell Ranch Rodeo, Inc.

GORDON REES SCULLY MANSUKHANI, LLP  
BY: Osmaan Khan, Attorney at Law  
1111 Broadway, Suite 1700  
Oakland, California 94607  
510-463-8600  
oakahn@grsm.com

The videographer: Daniel Stroud



DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

10:18:43 1 Does that make sense?

10:18:45 2 A. Yes.

10:18:45 3 Q. Do you understand that? Okay.

10:18:47 4 So just general admonitions -- we don't  
10:18:51 5 want you to guess, we don't want you to speculate,  
10:18:58 6 and we just want to make a clear record on the  
10:19:02 7 question and answer and move on. Does that make  
10:19:05 8 sense?

10:19:05 9 A. Yes.

10:19:05 10 Q. Okay. And then I'm entitled to your best  
10:19:09 11 memory of events. In this case, we have all the  
10:19:14 12 video that you have produced. May I ask was the  
10:19:19 13 video that you produced on cell phone only, or was  
10:19:22 14 there video camera?

10:19:23 15 A. I'm pretty sure I used only my cell phone.

10:19:29 16 Q. Okay. Okay. And then we also have body  
10:19:32 17 camera that was produced to you from the Alameda  
10:19:35 18 County Sheriff's Office. And just on the cell phone  
10:19:38 19 video that you produced, much of it was contained in  
10:19:44 20 a declaration filed in support to your temporary  
10:19:47 21 restraining order, and then I don't know if we have  
10:19:49 22 a formal stipulation, but -- no.

10:19:52 23 Do you stipulate today to the authenticity  
10:19:57 24 of your cell phone video?

10:19:59 25 A. I do.

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

10:19:59 1 Q. Okay. And much of the interaction between  
10:20:17 2 you and the Alameda Sheriff's Office, including your  
10:20:21 3 conversation with Mr. Kevin Hart, is captured in the  
10:20:23 4 Alameda County's production of documents that was  
10:20:29 5 presented to you. Do you recall reviewing the  
10:20:33 6 Alameda County Sheriff's Office video?

10:20:36 7 A. I did.

10:20:37 8 Q. That was produced?

10:20:38 9 A. Review it.

10:20:38 10 Q. Just wanted to make sure. And from what  
10:20:46 11 you saw, does that video, in fact, mirror, if you  
10:20:51 12 know what I mean by mirroring, what is captured in  
10:20:54 13 your cell phone video that you took?

10:20:56 14 A. Yes.

10:20:57 15 Q. Yes. Okay.

10:21:01 16 Are you comfortable with the admonitions as  
10:21:03 17 you understand them? And I know you've been through  
10:21:07 18 this process before. Are you comfortable with the  
10:21:11 19 admonitions so far?

10:21:12 20 A. You mean everything we've discussed?

10:21:14 21 Q. Yeah.

10:21:15 22 A. Yes.

10:21:15 23 Q. So far.

10:21:16 24 A. Of course.

10:21:17 25 Q. Okay. Are there any questions before we

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

10:21:19 1 get started?

10:21:19 2 A. No.

10:21:20 3 Q. Okay. And have you been involved in  
10:21:25 4 litigation in the past regarding First Amendment  
10:21:28 5 rights?

10:21:29 6 A. Yes.

10:21:29 7 Q. As a protestor? Okay.

10:21:31 8 Can you estimate how many times?

10:21:34 9 A. So I'd be guessing. It would be best to  
10:21:39 10 look at documentation that we've provided, but I  
10:21:45 11 would -- I don't know, 9 to 12 times.

10:21:47 12 Q. Okay. So -- okay. Best estimate, 9 to 12  
10:21:50 13 times?

10:21:50 14 A. Yeah.

10:21:51 15 Q. Okay. And do you consider yourself  
10:21:55 16 well-versed in First Amendment rights as an  
10:21:57 17 activist?

10:21:58 18 A. Somewhat.

10:21:58 19 Q. Okay. Can you explain that, why you say  
10:22:02 20 somewhat?

10:22:02 21 A. Well, I don't know the case law like my  
10:22:05 22 husband does, but I know the general premises and  
10:22:09 23 requirements and things that aren't allowed. But I  
10:22:12 24 couldn't cite to you the way he could cite case law.

10:22:16 25 Q. Understood.

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:14:02 1 The relationship's not the problem. It's when you  
11:14:05 2 use your authority wrongly.

11:14:09 3 Q. Would you say you're adversarial to law  
11:14:12 4 enforcement?

11:14:12 5 A. I have a bit of PTSD, yeah. When you  
11:14:17 6 experience something repeatedly, you have  
11:14:20 7 experience, life experience.

11:14:23 8 Q. And how many officers approached you after  
11:14:28 9 this incident with the hug?

11:14:31 10 A. I think there were four.

11:14:32 11 Q. Okay. And what did any of the officers  
11:14:41 12 tell you, if you can recall?

11:14:42 13 A. Well, yeah. The first time -- I don't know  
11:14:46 14 how to describe people except by saying the color  
11:14:49 15 they are, so I can't -- don't know his name. I  
11:14:53 16 could call him young, but that doesn't really say  
11:14:56 17 much because there were other young ones. So I'm  
11:14:59 18 going to say the white guy and the African-American  
11:15:04 19 guy and the Indian gal. That's the way I'm going to  
11:15:06 20 refer to them, and I don't mean to be, you know,  
11:15:07 21 racist in any way. It's just a descriptor.

11:15:10 22 So the white guy came up, and he was very  
11:15:13 23 nice and came up and said, you know, "Hey, we're  
11:15:16 24 here to protect everyone's rights. We just want to  
11:15:18 25 make sure ingress, egress," blah, blah, blah. And

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:15:21 1 we said, "Yeah, yeah, yeah," and he was very nice  
11:15:23 2 and left. And there were other cops with him. I  
11:15:26 3 don't remember. I think there were two others. And  
11:15:28 4 we're like, "Okay. Okay. This is going to be  
11:15:30 5 okay," and walked away.

11:15:34 6 And then later Mayfield had to come. I  
11:15:38 7 know his name now. I didn't know his -- I guess I  
11:15:41 8 might have read his -- I think I read his badge name  
11:15:44 9 on my video, and then he comes, and then here we go.  
11:15:47 10 Here we go. And it was crazy. This is how cops  
11:15:52 11 abuse their power.

11:15:54 12 Q. Do you remember when you first saw  
11:16:01 13 Mr. Hart?

11:16:05 14 A. I don't remember when I first saw Mr. Hart.

11:16:07 15 Q. Okay. Do you remember -- other than the  
11:16:13 16 shirt that you described, any other specific  
11:16:21 17 clothing or description of Mr. Hart?

11:16:25 18 A. I don't recall. I don't know that I spoke  
11:16:28 19 with him very much. My husband spoke more with him,  
11:16:35 20 so I don't recall that as much.

11:16:37 21 Q. Okay.

11:16:40 22 A. When you get to my experiences, I'll  
11:16:43 23 remember my experiences better.

11:16:44 24 Q. So did Mr. Hart, when he first approached  
11:16:53 25 you and your husband -- did he say anything to you

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:16:57 1 that you can recall?

11:16:58 2 A. I don't recall. Whatever's on video is  
11:17:03 3 what everybody said.

11:17:04 4 Q. And Mr. Hart -- did he ever say he was  
11:17:16 5 going to arrest you or your husband?

11:17:21 6 A. So there was the intimation and any --

11:17:32 7 Q. No.

11:17:32 8 A. -- any reasonable person would have said,  
11:17:35 9 "Yeah, these people have an intention to move us,  
11:17:38 10 yeah." So it's kind of like Trump, right? So Trump  
11:17:42 11 says, "Oh, good people fight for democracy. Good  
11:17:46 12 people go to the Capitol to fight for democracy,"  
11:17:50 13 and then he said, "Well, I didn't tell them to go."  
11:17:54 14 There are inferences. People make inferences.

11:17:56 15 Q. But did he specifically say the words, "You  
11:17:59 16 will be arrested" or --

11:17:59 17 A. You'd have --

11:18:01 18 Q. -- "I'm going to arrest you"?

11:18:02 19 A. You'd have to check the video.

11:18:04 20 Q. No. Just from what you recall.

11:18:05 21 A. I don't recall.

11:18:06 22 Q. Do you remember him saying that?

11:18:07 23 A. I don't recall.

11:18:10 24 Q. Did he articulate any reasons for arrest to  
11:18:13 25 you?

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:18:13 1 A. They were obsessed with this free speech  
11:18:20 2 box. They didn't like our message. It was obvious  
11:18:23 3 they didn't like our message. If we were out there  
11:18:26 4 with "The rodeo's fun," they wouldn't have said boo  
11:18:29 5 to us.

11:18:30 6 Q. Do you know if Mr. Hart could have arrested  
11:18:32 7 you?

11:18:32 8 A. I didn't know at the time. I didn't  
11:18:34 9 know -- you know, I don't recall knowing that.

11:18:36 10 Q. So at the time, did you believe he could  
11:18:41 11 arrest you?

11:18:41 12 A. Well, there was a cop with him, so yeah.

11:18:45 13 Q. But Mr. Hart himself -- did you think he  
11:18:49 14 could arrest you?

11:18:49 15 A. I didn't know.

11:18:50 16 Q. Yeah. But what did you think at the time?

11:18:57 17 A. I didn't know.

11:18:58 18 Q. And what did Mr. Hart ask of Mr. CuvIELlo  
11:19:11 19 and yourself when he first approached you, if you  
11:19:15 20 can recall?

11:19:15 21 A. I don't recall.

11:19:16 22 Q. Okay.

11:19:18 23 A. I don't want to be inaccurate. The video  
11:19:22 24 is record for me.

11:19:23 25 Q. I'm just asking for your best recollection

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:19:27 1 as you sit here now without the video.

11:19:29 2 A. I understand, and the best recollection is  
11:19:33 3 going to be on the video. I don't recall. I don't  
11:19:35 4 want to give a detail that ends up being not  
11:19:38 5 accurate when we have video. So there's no reason  
11:19:42 6 to play a memory game with me.

11:19:47 7 Q. Do you recall Mr. Hart saying -- well, let  
11:19:52 8 me back up.

11:19:53 9 Do you remember your husband, Mr. Cuviello,  
11:19:57 10 asking if you were going to be arrested?

11:19:59 11 A. So I was present, but I try to keep  
11:20:06 12 leafletting even when people try to come and  
11:20:09 13 interfere with my leafletting. Okay? Because one  
11:20:12 14 of the methods they use is they sit there and want  
11:20:16 15 to talk to you for a really long time while most of  
11:20:18 16 the patrons are going in, and "Oops, you just didn't  
11:20:19 17 get to leaflet all those people, and we stood in  
11:20:23 18 front of your signs while we did it." I mean, this  
11:20:25 19 is, like, total MO.

11:20:27 20 So I don't recall exactly what my husband  
11:20:29 21 and Mr. Hart were saying. I remember at some point  
11:20:32 22 there was this "Are we going to be arrested?"

11:20:37 23 "Well, you'll find out," or something to  
11:20:39 24 that effect, and it was, like, the threat was there  
11:20:41 25 that "We are probably going to arrest you. We may



DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:20:46 1 arrest you," and I remember my husband kept going on  
11:20:49 2 and on about "We don't want to be arrested. Tell us  
11:20:52 3 now." And it was, like, obvious they were playing  
11:20:55 4 these games, like, "Well, we might."

11:20:57 5 Q. Is that your recollection as you sit here  
11:20:59 6 now, that Mr. Hart said he might arrest you?

11:21:04 7 A. I don't remember what Mr. Hart said. I'm  
11:21:07 8 just telling you I was not paying that close  
11:21:09 9 attention. I would have to look at the video if you  
11:21:13 10 want verbatim. The inference was they were going to  
11:21:17 11 use the threat of arrest to try to coerce us to do  
11:21:21 12 something. That was my impression.

11:21:23 13 My impression was they were trying to use  
11:21:26 14 the cop standing there in full uniform in an effort  
11:21:29 15 to try to intimidate me to move somewhere that I  
11:21:33 16 didn't want to move to where I would not be seen.

11:21:35 17 Q. Were you ever threatened with a citation?

11:21:37 18 A. On that day?

11:21:38 19 Q. Yes.

11:21:39 20 A. I don't recall being threatened with a  
11:21:44 21 citation.

11:21:46 22 Q. Did anyone threaten you with arrest?

11:21:48 23 A. I was threatened with arrest because they  
11:21:50 24 came up to me telling us -- they -- let me put it  
11:21:53 25 this way: When my husband said, "Are we going to be

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:21:56 1 arrested?" no one said no. If they had said, "No,  
11:22:01 2 you're not going to be arrested. We're just asking  
11:22:01 3 you to move" -- no one said that. No one said,  
11:22:01 4 "You're not going to be arrested."

11:22:03 5 Based on my experience -- and everybody, an  
11:22:07 6 average person, a reasonable person, when a cop is  
11:22:10 7 standing there next to someone saying, "You need to  
11:22:12 8 move," and you say, "Am I going to be arrested?" and  
11:22:16 9 they said, "You'll find out" or "Wait and see" or  
11:22:18 10 whatever they said, you go, "Gee, they're  
11:22:22 11 threatening me with arrest."

11:22:25 12 That's a reasonable response, and most  
11:22:27 13 people would move because they're intimidated. When  
11:22:30 14 you have a police officer standing there with the  
11:22:31 15 authority to arrest you, whether it's legal or not,  
11:22:34 16 there's a real chance that can happen, and I don't  
11:22:37 17 know if you haven't experienced that, but lots of  
11:22:40 18 people have experienced this.

11:22:41 19 Q. Were the words --

11:22:43 20 A. And it's upsetting. It's upsetting as  
11:22:46 21 well. It's really upsetting because you know what  
11:22:49 22 you feel like when you're out there and the cop has  
11:22:52 23 all this power, and you have no power? You feel  
11:22:55 24 helpless.

11:22:56 25 Q. Did any of the officers or Mr. Hart ever

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:22:58 1 say, "You are going to be under arrest"?

11:23:01 2 A. You'll have to check the video.

11:23:03 3 Q. From your recollection?

11:23:05 4 A. I don't recall. I obviously didn't get

11:23:10 5 arrested.

11:23:11 6 Q. Did anyone physically -- I'm talking about

11:23:15 7 the officers. Or let's go with Mr. Hart.

11:23:17 8 Did Mr. Hart ever physically touch you?

11:23:20 9 A. No. I don't recall anyone touching.

11:23:22 10 Q. Did --

11:23:23 11 A. No one from Alameda County or HARD touched

11:23:27 12 me. The Rowell Ranch people touched me.

11:23:29 13 Q. Okay. So no one detained you? No one

11:23:32 14 arrested you?

11:23:33 15 A. No.

11:23:33 16 Q. Did they force you to move?

11:23:38 17 A. They tried to coerce me.

11:23:42 18 Q. But did they force you? Did they

11:23:45 19 physically force you to move to another area?

11:23:47 20 A. Nobody touched me, no. Let me qualify

11:23:53 21 that. HARD and the Alameda County Sheriff did not

11:23:57 22 touch me because Rowell Ranch people did touch me

11:23:59 23 later.

11:23:59 24 Q. So no one from law enforcement touched you?

11:24:06 25 A. That's correct.

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:24:06 1 Q. Did anyone threaten to -- from law  
11:24:10 2 enforcement or HARD threaten to physically move you?

11:24:21 3 A. Did they say the words, "I'm going to  
11:24:23 4 physically move you right now"? No.

11:24:25 5 Q. Just give me one moment here.

11:24:45 6 Did Mr. Hart ever advise you of what you  
11:24:49 7 were going to be arrested for, if anything?

11:24:51 8 A. You know, I really didn't talk to Mr. Hart,  
11:24:58 9 I don't believe, so.

11:25:00 10 Q. Did you hear the conversation between  
11:25:03 11 Mr. Hart and Mr. CuvIELLO?

11:25:06 12 A. I think I heard bits and pieces, but I  
11:25:08 13 didn't -- I wasn't paying full -- I don't recall  
11:25:12 14 paying full attention to it. But anything that was  
11:25:14 15 said during that, I just want to restate I rely on  
11:25:18 16 the video because that's a true occurrence. That's  
11:25:23 17 what happened.

11:25:23 18 Q. I understand that, but I just want to know  
11:25:25 19 if you heard it, right? So you could hear some  
11:25:28 20 things on the video at a later time, but in that  
11:25:32 21 moment --

11:25:32 22 MS. BLOME: I'm going to object as asked  
11:25:33 23 and answered. It's getting to the point where  
11:25:35 24 you're badgering her a bit.

11:25:38 25 MR. SYREN: I just want to know if she

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:25:40 1 heard --

11:25:40 2 MS. BLOME: She said no a hundred times.

11:25:43 3 She said she doesn't -- she wasn't involved with the

11:25:44 4 Hart conversation or Mr. CuvIELLO and Mr. Hart. She

11:25:48 5 didn't hear it. She doesn't remember it. "Check

11:25:51 6 the video." She said it 50 times by now.

11:25:54 7 MR. SYREN: Okay. For the record, I'll ask

11:25:56 8 one last time, and that will be it.

11:25:57 9 MS. BLOME: No. No. Objection. It

11:25:58 10 doesn't need to be asked again.

11:26:02 11 MR. KHAN: He can still ask it.

11:26:04 12 MS. BLOME: I understand.

11:26:04 13 BY MR. SYREN:

11:26:05 14 Q. Did you hear the conversation between

11:26:06 15 Mr. Hart and Mr. CuvIELLO?

11:26:08 16 A. As I said, bits and pieces.

11:26:11 17 Q. Okay. And after that interaction, at what  
11:26:27 18 point did you first view the video that you took, if  
11:26:33 19 you can recall?

11:26:33 20 A. Probably that night.

11:26:35 21 Q. Okay. Did you have any other interactions  
11:26:45 22 with Mr. Hart later that day?

11:26:47 23 A. I don't recall personally having more  
11:26:53 24 interactions with Mr. Hart.

11:26:54 25 Q. Okay.

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:27:01 1 A. You're talking about at that front entrance  
11:27:03 2 area, right? After that front entrance, that whole  
11:27:08 3 scene we were just talking about, right?

11:27:10 4 Q. I believe we were talking about the same  
11:27:15 5 area where the officers approached you, when they  
11:27:18 6 first came to approach you.

11:27:20 7 A. When they first came.

11:27:21 8 Q. You talked about -- I think there was the  
11:27:23 9 white guy, that same area.

11:27:25 10 A. Yeah, the first interaction.

11:27:26 11 Q. Yeah.

11:27:27 12 A. Yeah. No. I don't recall anything else  
11:27:29 13 with Mr. Hart later.

11:27:30 14 Q. Okay.

11:27:30 15 A. If he was around, I don't remember.

11:27:32 16 Q. Do you remember if he -- this is  
11:27:35 17 specifically directed to you -- if he asked you if  
11:27:40 18 you were going to move to the free speech zone?

11:27:42 19 A. Yeah. I think he went and asked every  
11:27:44 20 single person. That's -- I wasn't sure if it was  
11:27:50 21 him or Mayfield, but you gave me a tip there. So  
11:27:53 22 they were working in concert. So, you know, it kind  
11:27:56 23 of blends together for me.

11:27:59 24 Q. Okay. Do you remember how you responded to  
11:28:01 25 that questioning?

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:28:02 1 A. I probably said something like "Absolutely  
11:28:06 2 not," or "Are you crazy?" or something. I don't  
11:28:10 3 know.

11:28:10 4 Q. Okay. Let's see here.

11:28:30 5 Do you remember what happened next after  
11:28:33 6 the interaction with Mr. Hart?

11:28:35 7 A. So my vague recollection, which is  
11:28:37 8 documented in realtime on video -- my vague  
11:28:41 9 recollection is Mayfield finally called the watch  
11:28:46 10 commander, and they left us alone. That's my vague  
11:28:50 11 recollection. But it didn't last.

11:28:55 12 Q. And to be clear, you never moved from the  
11:29:00 13 area you wanted to protest; is that correct?

11:29:02 14 A. That's correct.

11:29:03 15 Q. Have you heard of the term "probable cause"  
11:29:28 16 before?

11:29:28 17 A. I've heard of it.

11:29:32 18 Q. What is your understanding of probable  
11:29:37 19 cause?

11:29:37 20 A. I have no --

11:29:39 21 Q. As you understand it?

11:29:40 22 A. -- legal --

11:29:42 23 Q. Okay.

11:29:43 24 A. -- way of telling you what that is. I have  
11:29:47 25 probably a general layperson's understanding of

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:38:46 1 Q. Okay. And do you know where he resides?

11:38:50 2 A. I don't.

11:38:50 3 Q. Any contact information for him other than  
11:38:54 4 the email that was provided?

11:38:55 5 A. I think I have -- I don't even know if I  
11:38:59 6 have his email.

11:39:00 7 Q. Okay. And have you spoken with either  
11:39:05 8 Ms. Newkirk or Mr. Sage about this lawsuit?

11:39:09 9 A. Nope. No.

11:39:10 10 Q. Have you seen either since this incident in  
11:39:14 11 2022?

11:39:15 12 A. I don't know if either of them came out to  
11:39:20 13 the protest last year, so I don't remember. But  
11:39:24 14 outside the protest, I'd say no. If they were  
11:39:27 15 there. I don't even think they came.

11:39:30 16 Q. At any other protest did you see them?

11:39:33 17 A. No, not that I recall.

11:39:35 18 Q. Any reason why you can't give your best  
11:39:39 19 testimony today?

11:39:39 20 A. No.

11:39:40 21 Q. Counsel asked you about the police video  
11:39:46 22 that was produced by my office, the body cam video,  
11:39:49 23 and you've looked through that video, correct?

11:39:51 24 A. Yes.

11:39:52 25 Q. Okay. Did you see anything in that video



DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

11:39:54 1 that you thought was inaccurate?

11:39:56 2 A. No.

11:39:56 3 Q. What's your highest level of education?

11:40:03 4 A. Bachelor's.

11:40:04 5 Q. Of what?

11:40:05 6 A. Science.

11:40:05 7 Q. From where?

11:40:06 8 A. UCLA.

11:40:08 9 Q. What was your degree in?

11:40:13 10 A. Political science.

11:40:15 11 Q. Any other formal education?

11:40:19 12 A. No.

11:40:19 13 Q. Have you ever taught any courses on First

11:40:26 14 Amendment law?

11:40:26 15 A. No.

11:40:27 16 Q. How about Fourth Amendment?

11:40:28 17 A. No.

11:40:28 18 Q. Have you ever been in law enforcement?

11:40:37 19 A. No.

11:40:38 20 Q. Have you ever been in the military?

11:40:40 21 A. No.

11:40:41 22 Q. Just to clarify again, I'm going second, so

11:40:49 23 I'm going to have some follow-up questions.

11:40:52 24 And I just wanted to be clear, you

11:40:53 25 indicated at some point that you started protesting

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

12:01:25 1 A. I cannot remember the fourth one for the  
12:01:28 2 life of me.  
12:01:29 3 Q. Any description whatsoever?  
12:01:30 4 A. No.  
12:01:30 5 Q. Male, female?  
12:01:32 6 A. I think it was a male.  
12:01:33 7 Q. Do you remember anything that officer did?  
12:01:35 8 A. No.  
12:01:35 9 Q. Okay. At some point you indicated that the  
12:01:42 10 three officers -- that would be including Mayfield  
12:01:44 11 -- surrounded you; is that correct?  
12:01:45 12 A. They're like a fan in front of me.  
12:01:49 13 Q. When did that occur?  
12:01:51 14 A. We'd have to look at the video.  
12:01:53 15 Q. Do you remember when that occurred?  
12:01:54 16 A. I remember feeling very intimidated by all  
12:01:59 17 these officers surrounding me, and so as people  
12:02:02 18 walking up the aisle to go into the rodeo, it's  
12:02:07 19 basically "These people are a problem." Cops don't  
12:02:10 20 surround a person if there's not an issue, right?  
12:02:13 21 They weren't coming over and giving me cookies and  
12:02:17 22 Kool-Aid or something.  
12:02:17 23 Q. Let me ask you this: Were all your  
12:02:21 24 interactions with the County Sheriff's officers that  
12:02:25 25 day video recorded?

DENIZ BOLBOL  
MARCH 06, 2024

JOB NO. 886301

12:02:26 1 A. I believe so, yes.

12:02:27 2 Q. Okay. So if the officers were surrounding  
12:02:29 3 you at some point, that would be depicted in the  
12:02:32 4 video, correct?

12:02:33 5 A. Yes, that's right.

12:02:34 6 Q. Any of these officers that you recall being  
12:02:41 7 on scene on 5/20/2022 -- did you ever have any  
12:02:44 8 interaction with them before?

12:02:45 9 A. Personally, like, individuals? No.

12:02:47 10 Q. Do you remember ever seeing them?

12:02:49 11 A. No.

12:02:49 12 Q. And afterwards, have you ever seen them?

12:02:52 13 A. Not that I recall.

12:02:52 14 Q. Okay.

12:02:59 15 A. I -- well, not important. I ramble.

12:03:04 16 Q. You talked about Mayfield when he got out  
12:03:10 17 of his car, he hugged a woman, correct?

12:03:12 18 A. Yes.

12:03:12 19 Q. And do you know the woman's role with  
12:03:16 20 Rowell Ranch?

12:03:16 21 A. No.

12:03:17 22 Q. And do you have any idea how Officer  
12:03:23 23 Mayfield knew her?

12:03:23 24 A. No.

12:03:24 25 Q. And did you overhear any of their

DENIZ BOLBOL  
MARCH 06, 2024


JOB NO. 886301

## REPORTER'S CERTIFICATION

I, April Wood Brott, Certified Shorthand Reporter  
in and for the State of California, do hereby certify:

That the foregoing witness was by me duly sworn;  
that the deposition was then taken before me; that the  
testimony and proceedings were reported stenographically  
by me and later transcribed into typewriting under my  
direction; that the foregoing is a true record of the  
testimony and proceedings taken at that time.

IN WITNESS WHEREOF, I have subscribed my name  
on this date: 19th day of March 2024.



April Wood Brott, CSR No. 13782

# **EXHIBIT C**

## **Plaintiffs' Video, Bates 14, Clip 2**

[video file submitted in physical form via USB drive]

# **EXHIBIT D**

## **Plaintiffs' Video, Bates 14, Clip 3**

[video file submitted in physical form via USB drive]

# **EXHIBIT E**

## **Plaintiffs' Video, Bates 14, Clip 4**

[video file submitted in physical form via USB drive]

# **EXHIBIT F**

## **Plaintiffs' Video, Bates 16, Clip 2**

[video file submitted in physical form via USB drive]



# **EXHIBIT G**

## **Plaintiffs' Video, Bates 16, Clip 3**

[video file submitted in physical form via USB drive]

# **EXHIBIT H**

## **Plaintiffs' Video, Bates 16, Clip 4**

[video file submitted in physical form via USB drive]

# **EXHIBIT I**

## **Body-Worn Camera Video Number 15**

[video file submitted in physical form via USB drive]

# **EXHIBIT J**

## **Body-Worn Camera Video Number 17**

[video file submitted in physical form via USB drive]

# **EXHIBIT K**

**Audio recording of Deputy Sheriff  
Joshua Mayfield's telephone call with  
Amy Bowles of ASCO Dispatch**

[video file submitted in physical form via USB drive]